

**CITY COUNCIL MINUTES  
REGULAR MEETING  
July 13, 2010**

The Winnemucca City Council met in regular session on Tuesday, July 13, 2010 at 2:00 p.m. in the City Hall meeting room. Present: Councilmen Richard Stone, Doug Cain, Joyce Sheen, Jim Billingsley and Paige Brooks. Absent: Mayor Di An Putnam. Staff present: City Manager Steve West, City Attorney Kent Maher and City Clerk Eddy Davis.

**CALL TO ORDER:**

Mayor Pro Tem Sheen called the meeting to order at 2:00 p.m.

**APPROVAL OF MINUTES:**

The June 22, 2010 regular City Council meeting minutes were presented for review and Councilman Cain moved for approval as submitted. Motion carried unanimously.

The June 28, 2010 joint City Council-County Commission meeting minutes were presented for review and Councilman Stone moved for approval as submitted. Motion carried unanimously.

**APPROVAL OF WARRANTS:**

The warrants were presented for review and Councilman Cain moved for approval as submitted. Motion carried unanimously.

**PROCLAMATIONS / EMPLOYEE AWARDS:**

There were no proclamations or employee awards.

**PUBLIC / PERSONAL COMMUNICATION / CORRESPONDENCE:**

Shelly Kylo indicated that her golf cart which was stored in a golf course shed was vandalized this past weekend and received approximately \$4,000 in damages. Kylo is willing to put up a \$500 reward, and asked if the City would do the same. Concern was expressed about how to maintain better security for the golf sheds. Councilman Sheen said the Council is open to any suggestions or ideas, and that various deterrents to vandalism have been attempted, such as locks and additional lighting. Kylo suggested an alarm system might work or a key schedule kept regarding the opening and closing of the sheds. Sheen said it was her understanding that the lighting was disconnected. City Manager West explained that despite City efforts, there are cart storage building break-ins on an annual basis. The City has spent a substantial amount of money on the lighting around the sheds. On two occasions, vandals disconnected those lights. Access to the lighting wiring is now restricted. There are only two control options available, either the golf cart owners continue to have total access to the sheds (with a key to the locks) or access is totally controlled by the greens keeper and golf pro. In the most recent instance, access could have been with a key. Golf Pro Mike Kieser said that the lights were disarmed and that bolt cutters may have been used to cut the lock. Eight golf carts were destroyed, at an estimated \$10,000 to \$15,000 in damages. West suggested eliminating the individual keys and having the head greens keeper (or his designee) open up the sheds at 6:00 a.m. on each day of operation and have the golf pro (or his designee) close them each night at about 10:00 p.m., thereby offering access only between those hours. This situation might result in periodic complaints from the cart owners, which is why it was not tried in the past. Kieser suggested welding the lock boxes shut and then use remote control access by either him or the head

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greens keeper because too many people have keys now. Head Greens Keeper Jake Weber said remote access will work better. Kylo said she would rather have limited access knowing that her cart was secure. West said he talked to the Mayor about limiting access to the sheds, and both agreed the public will eventually get used to the idea. Weber added remote access will only affect three shed doors. Councilman Cain asked if the idea of installing motion detectors with alarms had been reviewed and was informed that it is cost prohibitive.

On another issue related to the golf course, Kylo asked for a review of the policy concerning students and their ability or approval to drive golf carts on the golf course. She has experienced several incidents when there are four students on one cart or they are driving disruptively around the course. Kieser said there are a few youth on the golf team that have private carts, and as long as they have a current driver's license, they are good to go. Councilman Brooks added she has personally seen youth driving carts that do not appear to be old enough. Councilman Stone said this issue should be left to the discretion of the golf pro. Sheen said it appears the policy on student drivers may not be working, and questioned if parents were notified when this activity was reported. It is her understanding the golf pro handles the situations as they occur. Kieser believes that most of the student drivers are not misbehaving. Councilman Billingsley asked if limited access by golf cart users would begin immediately once new security measures were implemented. West said the changes could happen now (remote access by the head greens keeper and golf pro). Billingsley questioned if the part time student employees have enough safety devices available to them when mowing the golf course (head protection, etc.). Weber said the employees are all golfers and are aware of the hazards, but people cutting through the golf course are vulnerable. Kieser suggested updating the signs on the golf course fencing with the message of "Golfers Only – No Trespassing". West agreed it is time to change the signs, as problems were experienced in this area during the July 4 weekend.

Fred Baryol distributed and then read a letter he sent to Mayor Putnam expressing his disappointment there is not more detail in the written City Council meeting minutes (specifically referencing the June 8, 2010 City Council meeting at which Baryol expressed his views on the proposed Jungo landfill). Baryol noted the minutes are excellent and not enough recognition is given for the job that is done. Baryol believes when there is something contentious between Council members, it is not always reported in enough detail in the minutes. Baryol said the same happens at the County level as well. Baryol said he represents an organization called "Concerned Citizens of Humboldt County" with a specific goal of transparency in Humboldt County government. City Manager West said that the City tries to be transparent, but it is impossible to include in the meeting minutes everything that is said. West said the audio recording of the meeting is available. West noted the City does a very good job with the written minutes capturing the "essence" of what occurs, but not everyone will be satisfied. City Attorney Maher said, by law, the minutes must reflect the substance of what occurred. Staff comments are not an action item. Action items typically reflect more detail. The written minutes are not meant to be a verbatim transcript.

### **DISCUSSION / ACTION ON ITEMS OF BUSINESS & OTHER REPORTS:**

#### **BUSINESS IMPACT DETERMINATION**

City Attorney Maher and the Council reviewed and discussed briefly the agenda items and the effect each item could potentially have on a "business" as the term is defined by statute. The Council agreed that no item on this agenda appears to impose a direct and significant economic

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burden on a business or appears to directly restrict the formation, operation or expansion of a business. Councilman Stone moved to make a finding that no item on this agenda appears to impose a direct and significant economic burden on a business or appears to directly restrict the formation, operation or expansion of a business. Motion carried unanimously.

### **VARIANCE REQUEST VW-10-11 / INCREASE FENCE HEIGHT / HYCROFT RESOURCES**

Betty Lawrence, Humboldt County Planning Department, said Richard Martin of Hycroft Resources requested increase of the maximum allowed height from six (6) feet to eight (8) feet for the fence to be constructed around an employee parking lot located at 1245 E. Winnemucca Blvd. (the former Bosch Motors car lot). Staff and the applicant agreed to research the sidewalk and property line setbacks so that the fence will be installed along the proper lines. Councilman Cain moved, based upon staff findings and recommendations, to approve, subject to determining the property line location, variance request VW-10-11 to increase the maximum allowed fence height from six (6) feet to eight (8) feet in a G-C (General Commercial) zoning district, APN 016-272-34, on property located at 1245 E. Winnemucca Blvd., as requested by Hycroft Resources. Motion carried unanimously. Resolution Number 2010-21.

### **ORDINANCE INTRODUCTION / REZONE APPLICATION RW-10-06 / MARCUERQUIAGA**

Councilman Stone moved to set for public hearing rezone application RW-10-06 requesting to change G-C (General Commercial) to R-3 (Multiple-Family Residential) zoning district on the Marcuerquiaga property located at 126 W. Sixth Street, APN 015-394-07. Motion carried unanimously.

### **ORDINANCE INTRODUCTION / REZONE APPLICATION RW-10-07 / WEST WIND, LLC**

Councilman Stone moved to set for public hearing rezone application RW-10-07 requesting to change R-2 (Multiple-Family Residential) to G-C (General Commercial) zoning district on West Wind, LLC property located at 451 W. Second Street, APN 015-423-01. Motion carried unanimously.

### **HUMBOLDT COUNTY REGIONAL PLANNING COMMISSION APPOINTMENT INTERVIEW**

Councilman Stone expressed concern with the interviewing process for the vacancy on the Humboldt County Regional Planning Commission (RPC). Appointments are now alternated between the City and County, and the City should interview all applicants because the RPC deals with issues concerning both City and County. City Manager West said, in effect, there are two seats each appointed by the City and County, while one seat appointment is alternated between the entities. At the June 28 Commission meeting, five individuals were interviewed and one was appointed. Only two of the other applicants provided contact information, and only one of those lived in the City, that is, Dave Baker. Baker presented his background to the Council. Baker said he was originally from Battle Mountain, has been employed at the Valmy Power Plant for 20 years, the last four as maintenance manager, and has volunteered in the past for the Humboldt County Ambulance Corp and his church. Baker said he is concerned about the close proximity of septic tanks in the Grass Valley area. Baker believes with planning there are some frustrations, but policies and guidelines must be followed to make sure that sound decisions are made. Baker believes in controlled growth and would like to see the City grow in that manner. Baker said he has not been apprised of the job requirements or

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expectations on the RPC, but he has personal experience with purchasing and selling land. Baker also believes that residential properties should remain zoned as residential, and commercial properties remain commercial. Baker noted he keeps informed with RPC issues through the newspaper. Sheen said his application is appreciated and the City will be in touch with him after the other interviews are held.

### **DEBT MANAGEMENT POLICY / CAPITAL IMPROVEMENT PLAN**

City Manager West said the new budget capital expenditures (Fiscal Year 2010-2011) are stated in the Capital Improvement Plan, and long-term projects are defined. West pointed out the comparison of debt service between the City and Elko and Fallon, with Winnemucca having the lowest debt service. Technically, the City is debt free because the Assessment District 17 debt is paid by the property owners. Capital expenditure highlights include a new AS400 mainframe computer, the remodel of the safety complex building, and the new water/sewer telemetry system. West explained that the water and sewer funds are enterprise funds, meaning the revenues generated are derived from use fees collected, so the revenues have to be earmarked for water-sewer expenditures. The City is facing the construction of a new mechanical treatment plant within the next ten years, and the sewer fund reserves are being built to handle that expenditure, estimated to be in the \$8 million range. City Clerk Davis added that the documents presented for approval included the updated Debt Management Policy, a five (5) year Capital Improvement Plan, Debt Service documents held by the City, and the designation of the Chief Financial Officer. Staff recommends approval of the documents. Councilman Brooks moved to approve the Debt Management Policy, the five (5) year Capital Improvement Plan, and the designation of the Chief Financial Officer for Fiscal Year 2010-2011 for the City, as presented and recommended by staff. Motion carried unanimously.

### **AWARD OF CONTRACT / JAY'S ROAD RECONSTRUCTION PROJECT**

Councilman Sheen asked if Hunewill Construction was the sole bidder. City Manager West said they were, which is typical for small City paving projects. The engineer's estimate was \$35,000 and the County has agreed to equally split the costs of this RTC project. Hunewill's bid is for \$33,836.25. Staff recommends approval. Councilman Stone moved to accept the sole bid received from Hunewill Construction Company in the amount of \$33,836.25 for the West Jay's Road reconstruction project at the airport. Motion carried unanimously.

### **TEMPORARY WATER SERVICE OUTSIDE CITY LIMITS / PRECISION PIPELINE-KATHRYN LECUMBERRY**

Councilman Sheen noted there is a requirement in the municipal code that a property be annexed to the City to obtain municipal water service. Kathryn Lecumberry leased property located at 5655 East Winnemucca Blvd. to Precision Pipeline (a subcontractor on the Ruby Natural Gas Pipeline Project), who is requesting temporary water service on the property. Precision Pipeline agreed to pay all installation costs for the required 18" casing pipe under East Winnemucca Blvd. and all materials for the 12" water main extension to that side of the street (approximately \$34,000 in total cost). The City Water Department will install the pipeline (using the materials supplied by Precision) in exchange for owning the improvements upon completion. Staff believes that everyone will benefit from this transaction: the property owner (Lecumberry) will end up with a water main to serve the property in the future; the contractor receives water service while they occupy the property; and, the City is in possession of a valuable water main

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crossing on the east end of town which will eventually provide better fire flows to the north side of Winnemucca Boulevard. Precision Pipeline and Lecumberry signed agreements with the City agreeing to the items discussed today. The property owner fully understands that the water service is to be temporary and annexation is required if water service is desired in the future. Staff recommends approval of the temporary water service request subject to the conditions spelled out in the two agreements. Councilman Cain moved to approve the water extension line outside the City limits for property located at 5655 East Winnemucca Blvd., APN 010-121-05, as defined in the agreements between Precision Pipeline and Kathryn Lecumberry. Motion carried unanimously.

### **REQUEST FOR DONATION OF WATER PIPE / HUMBOLDT COUNTY SHOOTING PARK**

City Manager West said the pipe in question is surplus, 16" diameter PVC water pipe, which is an obsolete size. The City has no further use for this pipe and recommends approval of the donation request. Councilman Sheen said it was worth noting that the County has agreed to install the pipe and cover the installation costs. Councilman Stone moved to find, based upon staff recommendation, that the pipe is of no further use to the public, and to authorize donation of 180 feet of 16-inch PVC water pipe to the Humboldt County Shooting Range. Motion carried unanimously.

### **STAFF / COUNCIL REPORTS**

City Manager West reported that the FAA grant applications were delayed for about six months and are now due. The City needs to modify the environmental assessment on the land south of the airport, and include property remnants outside the clear zone. The airport layout plan also needs to be changed. The grant application must be submitted by next week, but will be placed on the next agenda for formal approval. The plan is to open bids for the new telemetry system on August 18. West explained that the current radio system controls the wells and pumps, and automatically keeps the tanks full. The sewer plant is also monitored. The new system will monitor the airport fire well. Each system can be accessed by computer to see what's happening. Parts for the old system are no longer available. Bid documents should be complete this Friday on the police station project. Bid requests are expected to go out next week. At the last projection, NDOT agreed to pick up the difference in increased costs for the cape seal project, which includes portions of Hanson Street, a section of Bridge Street, all of Fourth Street and National Avenue. The chip seal project should be completed prior to the beginning of the school year. The street light retrofit project is on hold awaiting installation of the fixtures for the demo street lights. There is a great deal of demand for any items related to energy stimulus projects across the country, thus the delay. The finalized budget on the sports field lighting project is close to completion.

Councilman Stone said the Kruse Night experienced a good turn out under excellent weather conditions.

Councilman Cain attended the RTC and Airport board meetings.

Councilman Sheen threw out the first pitch at the girl's softball tournament. A short landfill committee meeting was held yesterday with no major items of discussion to report.

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Councilman Billingsley said that Kruse Night went well. At the end of the night, some participants got carried away by speeding off and squealing their tires. Billingsley suggested having a police presence when the event breaks up. West said he will discuss the issue with the Police Chief. Billingsley inquired about the status of the KWNA business license issue. City Attorney Maher said he was still waiting for information from the owner of KWNA that he feels justifies his position that he (KWNA) is not required to obtain a City business license.

Councilman Brooks will attend the NNRC meeting tonight. The RESPECT group will meet with the BLM to work towards the joint effort with the tentatively scheduled community-wide cleanup day on September 25th.

Mayor Pro Tem Sheen adjourned the meeting at 3:35 p.m. until the next scheduled regular meeting on August 10, 2010.

Respectfully submitted,

Eddy D. Davis  
City Clerk

**PASSED AND ADOPTED:** August 10, 2010

**VOTE OF COUNCIL:**

|                    |                   |  |
|--------------------|-------------------|--|
| <b>AYES:</b>       | <b>Councilmen</b> | <u>Stone, Cain, Sheen, Billingsley, Brooks</u> |
| <b>NAYS:</b>       | <b>Councilmen</b> | _____  |
| <b>NOT VOTING:</b> | <b>Councilmen</b> | _____  |
| <b>ABSENT:</b>     | <b>Councilman</b> | _____  |

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Di An Putnam  
Mayor

\_\_\_\_\_  
Eddy D. Davis  
City Clerk